

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson
Chairperson
CEQ

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MEETING SUMMARY

DATE: June 12, 2019

TIME: 9:35 am – 11:15 am

LOCATION: Arthur Kunz Library

H. Lee Dennison Bldg. – 2nd Floor

Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Larry Swanson, Chair

Michael Kaufman, Vice Chair

Robert Carpenter Jr.

Frank De Rubeis

Michael Doall

Thomas Gulbransen

Hon. Kara Hahn

Constance Kepert

Hon. Al Krupski

Andrea Spilka

ABSENT:

Eva Growney

Mary Ann Spencer

CAC REPRESENTATIVES:

None

STAFF:

Andy Freleng, Chief Planner

John Corral, Senior Planner

Christine DeSalvo, Principal Office Assistant

GUESTS:

Christina DeLisi, Suffolk County Legislative Aide, Presiding Officer Gregory
DeWitt Davies, Chief Environmental Analyst, Suffolk County Department of Economic
Development and Planning
Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic
Development and Planning
Andrew Amakawa, Senior Planner, Suffolk County Department of Economic
Development and Planning
Melissa Kangas, Planning Aide, Suffolk County Department of Economic Development
and Planning
Kenneth E. Phalen, Assistant County Architect, Suffolk County Department of Public
Works
Maria Nida, Assistant County Attorney, Suffolk County Department of Law
Edward Romaine, Supervisor, Town of Brookhaven
Lisa Keys, Town of Brookhaven
Craig E. Strong, Town of Brookhaven
Anthony Graves, Town of Brookhaven
Lee Snead, Representative for Pal-O-Mine
Paul McCormick, Shellfish Farmer
Saray Vazques, Intern, Suffolk County Dept. of Economic Development and Planning
Alaaddin Baskurt, Intern, Suffolk County Dept of Economic Development and Planning
Jeffrey Kannengieser, Intern, Suffolk County Dept of Economic Development and Planning

Minutes:

- May 8, 2019

A motion was made by Mr. Kaufman to approve the May 8, 2019 minutes. The motion was seconded by Ms. Kepert. Motion carried.

Historic Trust Docket:

Director's Report:

Mr. Martin, Director of Historic Services, was not present at the meeting.

Project Review:

Recommended Unlisted Actions:

- A. Proposed Inclusion of the Town of Brookhaven Underwater Lands (SCTM# 0200 98560 0100 001001) into a Certified Agricultural District for 2019, Town of Brookhaven

A presentation regarding the project was given at the meeting by Lauretta Fischer, Chief Environmental Analyst with the Suffolk County Department of Economic Development and Planning and Edward Romaine, Supervisor of the Town of Brookhaven. As part of

the presentation, the Town of Brookhaven referenced the information the Town submitted to the CEQ which stated that the Town's Plan for aquaculture is limited to a 40 acre area of the Town's overall 15, 213 acre parcel of Great South Bay underwater lands. It was noted that due to the New York State Agriculture and Markets requirement that only a whole parcel (and not portions of a parcel) be placed in an Agricultural District the Town is applying to have the whole parcel in the Agricultural District but it is the Town's current and future intent to limit the aquaculture areas to no more than 40 acres. It was also noted that this 40 acre area was reviewed by the Town as well as the NYSDEC, United States Coast Guard, the US Army Core of Engineers to insure that these areas would not result in significant conflicts with other uses or result in significant environmental impacts.

The CEQ also received information from representatives of the New York State Agriculture and Markets (who participated via teleconference) on the implications of placing the underwater lands within an Agricultural District. The representatives from Agriculture and Markets noted that the Ag Program only applies to protections against unreasonable local (Town and Village regulations) and has no impact on State or Federal Regulations. Agriculture and Markets also noted that in the rare cases when Agriculture and Markets are asked to evaluate whether a regulation is unreasonable the cases are carefully evaluated on a case by case basis.

The Suffolk County Director of Planning, Sarah Lansdale, also provided the CEQ with testimony from an aquaculture farmer who testified before the Suffolk County Legislature last year regarding the importance of having lands in the Peconic Bay placed in an Agricultural District. This testimony noted that it was very important that the Peconic Bay underwater lands be placed in an Agriculture District to provide aquaculture farmers protections against nuisance lawsuits.

The CEQ also asked the question about marine entanglement. The Town of Brookhaven noted that based on the nature of the aquaculture being done in the Town's program entanglements has not been an identified issue. The Town noted that if the issue of entanglements start to become identified as an issue the Town would modify its aquaculture program. The CEQ also asked about marine debris that may result from the aquaculture program. One of the aquaculture farmers in the Town's program noted the importance he places on following the regulations and making sure that any marine debris is cleaned up so that it does not become an issue that would impact the program.

After the extended discussion, a motion was made by Mr. Doall to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Gullbransen. Motion carried.

B. Proposed Improvements to Peconic Dunes County Park, Town of Southold

A presentation regarding the project was given at the meeting by Kenneth Phalen, Assistant County Architect, Suffolk County Department of Public Works. The project

involves improvements to Peconic Dunes County Park and includes the replacement of the existing dining hall building with a new multi-purpose building on the same site. The new multi-purpose building will be in the same approximate location as the currently existing dining hall building.

As part of the CEQ project discussion the CEQ noted the importance of limiting clearing and having the construction site clearly delineated prior to the start of construction. The CEQ also noted the importance that erosion mitigation techniques be used and that all regulatory permits be obtained prior to construction. In addition, the CEQ recommended that the structure be built with the capacity to accommodate solar panels in the event that future funding or a grant can be obtained to enable the use of solar panels on the building.

After the discussion, a Motion was made by Mr. Kaufman to recommend the proposed project as an Unlisted Action with a Negative Declaration. The motion included: that the limit of construction clearing/disturbance will be clearly marked out in the field prior to the start of construction; that during construction erosion stormwater runoff mitigation techniques (i.e. hail bales, etc.) will be utilized; that to the greatest extent possible the updated sanitary system for the new multi-purpose building will be located in an area that minimizes the amount of vegetative clearing and that all required regulatory permits/approvals will be obtained prior to construction. The Motion was seconded by Mr. De Rubeis. Motion carried.

Project Review:

Recommended Type I Actions:

- A. Proposed Improvements to Cathedral Pines County Park in Accordance with the Suffolk County Cathedral Pines Comprehensive Analysis, CP 7009, Town of Brookhaven

A presentation regarding the proposed improvements to Cathedral Pines County Park was given at the meeting by Kenneth Phalen, Assistant County Architect, Suffolk County Department of Public Works. After the project discussion, the CEQ decided to table the proposed action and request that the Suffolk County Department of Public Works provide the CEQ with the related Cathedral Pines Master Plan.

A motion was made by Mr. Kaufman to table its SEQRA review for the action and request that the Suffolk County Department of Public Works provide the CEQ with the Cathedral Pines Master Plan. The Motion was seconded by Mr. De Rubeis. Motion carried.

Project Review:

Recommendations for LADS Report:

Recommendations for Legislative Resolutions Laid on the Table May 14, 2019 and June

4, 2019

Mr. De Rubeis made a motion to accept the staff recommendations on Legislative Resolutions Laid on the Table May 14, 2019 and June 4, 2019. The motion was seconded by Ms. Spilka. Motion carried.

CAC Concerns:

No CAC concerns or comments were raised.

The regular CEQ Meeting Adjourned